IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Special Appeal No. 101 of 2004

1. State of Uttaranchal through Secretary,
   Education, Uttaranchal Shasan,
   Dehradun.
2. Deputy Director of Education,
   Kumaon Mandal, Nainital. …. Appellants

Versus

Rakesh Chand Joshi S/o Sri K.C. Joshi,
Assistant Teacher in Mathematics and Science,
Nagar Palika Inter College,
Kathgodam, District Nainital. …..Respondent

Mr. J.P. Joshi, Addl. Chief Standing Counsel for the State of Uttaranchal appearing for the appellants.
Mr. S.N. Babulkar, Senior Advocate assisted by Mr. Tumul Nailwal, Advocate for the respondent.

JUDGMENT

Coram: Hon. Cyriac Joseph, C.J.
Hon. B.C. Kandpal, J.

CYRIAC JOSEPH, C.J.

1. The questions raised in this Special Appeal are identical to the questions raised in Special Appeal No. 100 of 2004. Special Appeal No. 100 of 2004 has been dismissed by this Court today. In the light of the judgment in Special Appeal No. 100 of 2004 and for the reasons stated in the said judgment, this Special Appeal also is liable to be dismissed.

2. Hence, the Special Appeal is dismissed.

(B.C. Kandpal, J.) **(Cyriac Joseph, C.J.)**

January 04, 2006
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